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ABSTRACT

The reform movement to abolish corporal punishment in Canadian schools has been stymied by the new conservative political movement. The public mood, troubled by political and economic disturbances, is no longer inclined to substitute expensive rehabilitative programs for traditional disciplining. Retention of corporal punishment is also encouraged by several historic and socioeconomic factors in Canadian society. Since it is the community which shapes and enforces the social codes, future developments in the corporal punishment debate are most likely to be in the direction of curbing abuse rather than pushing for abolition. (Author/APM)

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SOCIETAL PERCEPTIONS

OF

CORPORAL PUNISHMENT IN SCHOOLS

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A B S T R A C T

The reform movement to abolish corporal punishment in schools has been stymied by the New Conservatism sweeping the country. The public mood, troubled by political and economic upheavals, is no longer inclined to substitute expensive rehabilitative programs for traditional disciplining. Retentionism is also encouraged by a number of inherent historic and socio-economic factors, which are examined from the point of view of Canadian society. Since it is the community which shapes and enforces the social codes by which we live, future developments in the corporal punishment debate are most likely to be in the direction of curbing abuse rather than pushing for abolition.

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There can be little doubt that 'corporal punishment in schools' continues to be one of the most divisive and perplexing issues confronting educational practice today.

Even a brief overview of the voluminous literature on the subject cannot but confirm the impression that the hotly debated issue of retentionism vs. abolitionism of corporal punishment is so thoroughly interwoven in our social fabric, our traditions and values, that a resolution is far from likely in the immediate future. Over the years the pros and cons of the matter have been contested with the kind of moral fervor and dogmatic conviction (reminiscent of the creationist vs. the evolutionist argument) which allow of little compromise.

The abolitionist argues that corporal punishment is one of the last vestiges of archaic barbarism, that it is totally ineffective in terms of its purported benefits, and that it constitutes a crass violation of human rights and dignity. He contends that the infliction of physical discomfort upon a student as a disciplinary measure, be it by actual contact, confinement or punitive deprivation, has no place in school. The abolitionist finds his most vociferous supporters among the theorists in the academic community, especially among educationists, behavioral scientists, and sociologists whose empirical research consistently points to the failure of physical punishment as a means to

modify personality traits or stimulate learning habits. The abolitionist also opposes corporal punishment on juridical grounds, maintaining that a child should not be subjected to the kind of punishment from which the Law protects even the worst criminal in our society.

The retentionist, on the other hand, views the judicious application of 'the hand of wisdom to the seat of learning' as a practice indispensable to discipline, learning, or both. By 'judicious' he means that such discipline must not be unreasonable or excessive; in fact, it should be the means of last resort in the classroom, administered with certain safeguards for the protection of student and teacher alike.[1] To the retentionist corporal punishment has the sanction of tradition. As an ingrained Anglo-American child-rearing practice it has never met with any concerted opposition from society at large. In support of this, he points to the fact that, whereas individual cases of flagrant abuse have become notorious (usually as much for the publicity surrounding the resulting litigation as for the incident itself), there have been few class action suits or successful attempts to limit the authority of teachers to administer such punishment.

Corporal punishment in schools is legal throughout Canada, although local jurisdictions have the option of not implementing it, as is the case in British Columbia. In the United States only four states have banned corporal punishment outright. The most serious

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[1] See Robert J. Simpson and Paul O. Dee, "Fifteen Things you need to know about Corporal Punishment in Schools." American School Board Journal, 164, no. 10 (Oct. 1977), 30-31.

challenge to the practice, on grounds that it is 'cruel and unusual punishment' (thus violating the 8th Amendment of the US Constitution), was turned back by the US Supreme Court in a landmark decision (1977).

Since then abolitionism has been losing ground. In March 1980 a leading European newspaper described the new reactionary trend and its causes :

> *Corporal punishment appears to be making a comeback in American schools, as a growing number of parents and staff claim that more liberal methods have failed to control rampant indiscipline.*
>
> *The Los Angeles board of education, which controls the country's second largest school district, responded to the new mood last month by voting 4-1 to resume "paddling" in the city's elementary and junior highschools....*
>
> *Also last month, the New York state board of regents, which regulates education in the state, reversed a previous decision to ask the New York legislature to impose a state-wide ban on corporal punishment.... Church schools were particularly upset about the proposed ban. A spokesman for the New York Association of Christian Schools said the Bible gave specific instructions about corporal punishment, which he called "loving discipline."* (2)

The pendulum swing to the right across the whole spectrum of public attitudes is accelerating. In a world of rapidly diminishing resources, socio-economic upheavals, and political turmoil, the public mood quite naturally stands on retrenchment rather than on experimentation, hence on conservatism rather than on liberalism. Thus it also favors the retentionist position.

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[2] Clive Cookson, "Corporal punishment returns," The Times Educational Supplement, 14 March 1980, p. 15.

Actually this New Conservatism is only reinforcing the traditional Anglo-American attitude toward the maintenance of discipline in home and school. The paedagogic liberalism of the past forty years thus turns out to have been essentially a surface phenomenon, unable to sink its roots deep enough into the public conscience to survive the winds of change.

Welsh's assessment puts the entire issue into proper historical perspective, and provides a starting point for the following discussion :

> *No matter what the media say, the American parent is not permissive now, wasn't even permissive during the so-called Spock era of the forties and fifties, and apparently has never been permissive from the time the dreaded schoolmaster first brought the birch rod with him from England, when he came to this continent to settle....* (3)

In light of the fact that this newly emerging conservatism of our society with respect to the corporal punishment issue is being opposed by nearly all other nations (including the Communist bloc countries), the task is to identify its constituent elements and to account for consistent public rejection of expert opinion regarding corporal punishment.

This paper will attempt to explore the practice of corporal punishment in schools as a cultural phenomenon with Canadian society at its focus. There is, of course, frequent reference to societal attitudes in the United States. Canadian and American societies, for reasons of history, composition and interaction, are essentially undifferentiated in this regard. Both also rely on common law as basis

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[3] Ralph S. Welsh,"Severe Parental Punishment and Aggression : The Link between Corporal Punishment and Delinquency," in Irwin A. Hyman and James H. Wise, eds., Corporal Punishment in American Education (Philadelphia : Temple University Press, 1979), pp. 134-135.

for judicial interpretations. In Canada, common law has been incorporated into the Criminal Code and into statute law. A third legal basis is case law which provides the bulk of legal precedents for cases at issue. While decisions emenating from US courts are not generally applicable in Canada, they are, nevertheless, frequently cited and followed, particularly if they are based on common law.

I.

To the contemporary way of thinking the question of corporal punishment is inextricably linked to the concept of individual rights and their infringement for whatever reason. But this perception, especially as it applies to children, is of relatively recent provenance, dating back a mere hundred years.

Historically, most societies regarded children as chattels of the family. The social norms and cultural mores of such a society did no more recognize the 'rights' of a child than those of a slave. Remnants of this traditional and paternalistic view may be found to this day in the colonial policies of ruling racial minorities in underdeveloped countries. [4]

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[4] See Gertrude J. Williams, "Social Sanctions for Violence against Children : Historical Perspectives," in Corporal Punishment in American Education, p. 31.

Forcing obedience through corporal punishment was only another manifestation of "*an inherent cultural belief that violence is an acceptable way to solve problems.*"[5] This belief persists. And thus the teacher of today who physically disciplines his students stands in the tradition of the Sumerian whip-bearer, who was responsible for the maintenance of order in the schools of that ancient culture some five thousand years ago.[6]

The advent of Christianity which, as a proselytizing mass movement inveighed against family unity,[7] further isolated the child and exposed him to the harshest interpretations of biblical injunctions by religious zealots. Passages from Scripture, such as "*Withhold not correction from the child : for if thou beatest him with the rod, he shall not die,*" (Prov. XXIII,13) have been the cause of untold suffering and destruction over the generations. Since all children were born 'in sin' compassion was considered to be irrelevant.

The history of childhood in Western society amounts to a catalog of abuse sanctioned on cultural, religious, and socio-economic grounds. The child-as-chattel concept is further reinforced by Philippe Aries' observation that the Middle Ages did not conceive of an Age of Childhood and all the pleasant and protective associations evoked by

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[5] Irwin A. Hyman and Eileen McDowell, "An Overview," in Corporal Punishment in American Education, p.7.

[6] See Mary Van Stolk, The Battered Child in Canada (Toronto : McClelland and Stewart, 1972), p. 103.

[7] See Eric Hoffer, The True Believer (New York : New American Library, PB, 1951), p.40.

reference to it in our own time.[8] The child, being as yet too fragile to participate in adult life, counted for very little. It was treated with indifference at best; but all too frequently it was abused, maimed, or even killed. Only in the 17th century did the child gradually rise from its abject familial position by becoming a source of amusement and relaxation for its relatives, and thus was assured of at least a modicum of protective attention.[9]

II.

British culture, from its earliest beginnings, echoes the general disregard of the child in Western society. Child abuse by parent or parent figure was an endemic practice. Literature, from Anglo-Saxon fables to medieval nursery rhymes and historical accounts, bears eloquent testimony to an attitude toward the child ranging from the callous to the filicidal.[10] This situation was greatly abetted by society's intense preoccupation with spiritual matters. Physical punishment, because it was seen as a necessary concomitant of penitence

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[8] See Philippe Aries, Centuries of Childhood (New York : Alfred A. Knopf, 1962), pp. 100 and 128.

[9] Ibid., p. 129.

[10] See Williams, "Social Sanctions ...." in Corporal Punishment in American Education, p. 28.

and justice under the law, was applied with all brutality. The use of the scourge and thong, deprivation of physical comforts, and self-abasement to chastise the body and purify the soul, were accepted practices at all levels of society. The perceived need to 'mortify the flesh' in preparation for the Hereafter was sufficient justification for torture and an extensive inventory of ritualistic executions. Abusive child-rearing practices were, therefore, entirely in keeping with the spirit of the Age.

In the 15th century, for example, physical punishment meted out to university students, was intended to be both painful and degrading. Students 'of quality' were able to escape such treatment by paying fines.[11] Others employed surrogates to take their punishment for them. The case of Mungo Murray, the unfortunate 'whipping boy' who suffered the punishment which could not be inflicted upon the royal personage of Charles I (1600-1649), perfectly illustrates the increasing moral hollowness of the practice.

The sad state of affairs with respect to corporal punishment of children in general became apparent in The Children's Petition to Parliament (1669), which asked for curbs on abusive chastisement. It was unsuccessful but remains as a poignant footnote to the history of British child-rearing habits. It framed for all time the cry of despair of children and adolescents who had no protection under the law, and in extreme cases were reduced to defending themselves with

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[11] See Aries, p. 261.

"... *pistols, and were only accidentally prevented from killing their masters.*"[12]

The full extent of this culturally sanctioned violence and its brutalizing effects on the victim and the perpetrator only became known with the emergence of autobiographical writing in the 18th century. Samuel Johnson recalls being viciously thrashed by a headmaster who did not even bother "*to find out whether they* [his students] *were ignorant or negligent.*"[13] Gibbon absorbed Latin syntax "*at the expense of many tears and some blood.*"[14] Pitt was brutalized at Eton, Trollope at Harrow, Coleridge and Lamb at Christ's Hospital. Edward Bulwer's health and spirit were all but crushed in school. Alfred Lord Tennyson recalled having to convalesce for weeks following a particularly sadistic caning by the headmaster at Louth.[15] The litany is endless and does not even record the suffering experienced by children of the lower classes. Corporal punishment was pandemic and unquestioned. Anthony Trollope in describing his schoolmaster, has this sardonic comment, which characterizes the prevailing climate :

> *He must have known me had he seen me as he was wont to see me, for he was in the habit of flogging me constantly. Perhaps he did not recognize me by my face.* (16)

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[12] C.B. Freeman, "The Children's Petition of 1669 and its Sequel," in Corporal Punishment in American Education, p. 46.

[13] R.S. Illingworth and C.M. Illingworth, Lessons from Childhood (Edinburgh and London : E&S Livingstone, 1969), p. 230.

[14] Ibid., p. 230

[15] Ibid., p. 234.

[16] Autobiography, quoted from The Oxford Dictionary of Quotations, 2nd ed., (London : Oxford University Press, 1941), p. 549.

It is interesting to note that while English school masters were whipping their charges into submission, the practice was declining in France. The 'poena scholastica' of the predominantly Jesuit teachers fell into disrepute in the 1760's and was swept away for good by the spirit of the revolutionary era.

Britain went in the opposite direction, a situation which undoubtedly came about because of her cultural isolation due to historical events. In higher education, school masters gradually relinquished disciplinary matters to their monitors, themselves students, whose traditional duties included spying on their fellow students. Since such activities were now seen as being irreconcilable with the activities of a 'gentleman,' yet discipline had to be maintained, monitors were now given control over disciplinary matters without being answerable for their actions to higher authority.[17] Corporal punishment, especially the infamous 'bullying' of lower form students, reached new excesses.[18]

If there was anything at all positive to be said for such an educational environment, it found expression across the generations in sentiments by such notables as Darwin, Disraeli, Shaw, and Churchill who agreed that "*the only wholesome lesson learned at this hotbed of cruelty and vice was a lifelong loathing of meanness and tyranny.*"[19]

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[17] See Aries, pp. 262-266.

[18] See Lessons from Childhood, ch. 9 'Punishment and Bullying at School.'

[19] Ibid., p. 233 (attributed to Escott).

Today, corporal punishment in British state schools is controlled by local education authorities, while so-called 'approved schools' fall under the jurisdiction of the Home Office. The British Department of Education and Science (DES) has of late come under increasing pressure from reform groups, even though a nation-wide poll conducted as late as September 1977 confirmed that public sentiment continues to favor retentionism.[20] The most likely course of events to bring the corporal punishment issue to the fore once again would be through the introduction of a private member's bill in Parliament. But realistically, a phased abolition is all that can be hoped for in the near future, "*possibly starting with primary schools and handicapped children.*"[21]

III.

In English-speaking Canada the position of the early settlers with respect to child discipline was conditioned by two factors, the educational heritage of Britain and the economic dictates facing a young and struggling nation of immigrants.

English-Canadian child-rearing, as late as the last quarter of

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[20] Mark Vaughan, "Flogging a dead horse?," The Times Educational Supplement, 30 September 1977, p.4.

[21] Ibid.

the 19th century, did not recognize the child as an individual person, or that it was in need of special protection. That was clearly laid down in law :

> *Under English common law, which of course applied in Canada as well, children under the age of seven were presumed to be unable to distinguish between right and wrong. Between the ages of seven and fourteen, Blackstone wrote, "though an infant shall be prima facie adjudged to be doli incapax, yet if it appear to the court and jury that he was doli capax, and could discern between good and evil, he may be convicted and suffer death."* (22)

This uncompromising assessment of children as either legal non-persons or as fully responsible adults led to their exploitation in many instances, especially in the rural and family economy which was in constant search for cheap labor. Dependent children, mostly waifs and orphans, could be auctioned off or apprenticed to the highest bidders. Child importers put out their charges under contracts of indenture. Wards of the state were relegated to dismal foster homes or work houses. Until the Doyle Report (1874)[23] severely criticized the living conditions of imported orphans and paupers, the question of child welfare in the national context had not even been raised. Only now were improvements slowly forthcoming.

The status of the child before the law is worth an additional look in the context of specific legislation. In 1880 a law was passed in Ontario enabling parents and guardians to bring their own children

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22 Neil Sutherland, Children in English-Canadian Society : Framing the Twentieth Century Consensus (Toronto : University of Toronto Press, 1976), p. 98.

23 Ibid., pp. 6-7.

before the bar of justice. It was, in fact, possible to turn over misbehaving children between the ages of ten and thirteen to the authorities. If 'convicted,' they could then be confined in a reformatory for a period of up to five years.[24] Children of the destitute or unfit, as well as children who had broken local ordinances, were routinely sent to such institutions, later to industrial schools. Their rehabilitation, in the eyes of the law, often required indeterminate sentences.

Industrial schools were established by legislation (the first in Ontario in 1874), and were run by school boards or philanthropic organizations. By and large they were still the best of the correctional facilities. The panacea for all young misfits was hard work. Schooling was minimal. Generally, the treatment was not unlike that given to criminals :

> *According to the Nova Scotia Mental Hygiene investigators, a majority of the boys, who ranged in age from eight to sixteen in the Halifax Boys' Industrial School were what they described as "defective." Nevertheless, the school employed corporal punishment, "with a strap for first offences," as its "routine punishment" for misdemeanors. Boys guilty of "repeated misconduct" were confined in cells, seven by twelve feet, "with boarded walls and barred windows" on "bread and water rations." The school sent its incorrigibles to Dorchester Penitentiary.* (25)

Girls confined in institutions fared little better, as evidenced by the 1918 reforms in the British Columbia's Industrial School for Girls : the hair no longer needed to be worn 'prison-style;' conver-

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[24] Ibid., see pp. 99-100 and FN 30.

[25] Ibid., p. 138.

sation was now permitted at table; and the time set aside for educational pursuits was increased.[26]

All of these examples are indicative of the persistence of an historically conditioned cultural attitude which, by today's standards, was nothing short of hostile toward the 'pre-adult,' particularly if he was considered to be defective, destitute, or delinquent.

But another spirit, born out of economic necessities, was also beginning to assert itself. In an experience shared by both Canada and the United States, the continual waves of immigrants and the expansion to the West beginning in the early 19th century, promoted a gradual appreciation of the contributions to be made by all - even the young. This new awareness resulted in improved conditions of schooling, and a more humane disciplinary practice within society as a whole. There was also the fact that the Puritan belief of corruptible man in constant need of punishment was being rapidly supplanted by a more enlightened trust in man's basic goodness, and that, therefore, children should be guided, not punished, in preparation for adult life. By the 1880's this new perception had been transformed into pragmatic action. Philanthropic societies in the spirit of Pestalozzi and Froebel, the humanitarian work of people like J.J. Kelso, and ultimately also legislation for the protection of the child, marked the turning point.

Yet it is well to keep in mind that reforms were as much the result of societal self-interest as of altruism. It was by now conceded that it was important to care better for the less fortunate, because

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[26] Ibid., p. 138.

to do otherwise would eventually threaten the middle class structure and its values.[27] Kelso, the prime mover behind more than thirty Children's Aid Societies in Ontario, proved to be particularly adept at using social self-interest for the welfare of children.[28] Yet even the reformers continued to subscribe to corporal punishment in the home, school, or institution as a necessary, though less desirable means to cure delinquency and encourage good study habits.

As far as child abuse legislation is concerned, Canada addressed the issue later than the United States and other Commonwealth countries. Provincial statute law was of course restricted in application and had little effect on the fundamental consideration of child abuse legislation. In Ontario, for example, statutes of the 1860's concerning adoption or apprenticeship were ill-defined, especially in regard to the responsibility of guardians.[29] Only with the Gibson Act (1893), known as 'The Children's Charter,' was child protection placed on a firm legal footing in Ontario. This legislation was indebted to Scottish legislation of 1889 and laws already in force in Australia, Massachussets and Michigan.[30] According to its sponsor, this bill acknowledged for the first time in Canada the child's right to citizenship from infancy, thus drastically curtailing the traditional right of parents

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[27] Ibid., p. 19.

[28] Ibid., p. 112.

[29] Ibid., p. 10.

[30] Ibid., p. 111.

to treat their children as property.

IV.

In contemporary society the law pertaining to corporal punishment in schools indicates the traditional position that the protection of society takes precedence over the rights of children. The legal approach is predicated on the authority of the parent over the child, and this authority (including the right to administer corporal punishment) is automatically delegated to the teacher when the child is being sent to school. The courts are invariably concerned that the abolition of such disciplinary options would rob the teacher and administrator of measures necessary to maintain control. Physical discipling is condoned not only because the classroom is the home away from home, but also because the class is a microcosm of society. Unruly behavior is, therefore, in the nature of a 'civil disturbance,' if only on a miniature scale, and must be suppressed.

This legal perspective is rooted in the traditional conservative values of middle-class society. It is continually shaped by the community standards of that milieu and influenced even further by political and economic factors. Corporal punishment, intended to instill in the young respect for authority and values, may be no more than a primitive ritual,[31]

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[31] See Philip K. Piele,"Neither Corporal Punishment Cruel nor Due Process Due : The United States Supreme Court's Decision in Ingraham vs. Wright," in Corporal Punishment in American Education, pp. 98-99.

but it is also seen as one of the last remaining instrumentalities for upholding authority relationships in a gradually eroding social matrix. 'As the family goes, so goes society,' is a maxim at the core of jurisprudence, and explains the courts' general reluctance to circumscribe the 'reasonableness' of physical punishment administered by teacher or parent. With the rise of militant civil libertarianism in the late 1960's this has created situations of extraordinary complexity and controversy. It has resulted in such incongruities as the US Supreme Court's ruling that child beating in schools cannot be regarded as cruel or unusual punishment (*Ingraham vs. Wright, 1978*) since it is a traditional right of the person standing *in loco parentis* and is sanctioned by common law. This principle applies in Canada as well. Thus Canadian and American school children are the only class of citizens who may be legally beaten.

As has already been mentioned, the proviso that local jurisdictions may choose to exercise or not to exercise the right to corporal punishment exists in Canada as well as in the United States. But this has not brought about an abatement in the discussion of the fundamental issue. Two examples, one from an American and one from a Canadian jurisdiction, show that the retentionist position is generally upheld in court, even if attending circumstances would seem to speak against it.

In *Baker vs. Owen (1975)* the Pennsylvania Supreme Court affirmed that a student may be physically punished by his teacher over the previously expressed objections of his parents.[32] Thus even a parent whose fitness has never been questioned may lose this 'inalienable'

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[32] Carolyn Schumacher, "The Paddle in the School : Tool or Weapon - The Case of Pitssburgh Public Schools," in Corporal Punishment in American Education, p. 278.

right to parenting if, in the opinion of the court, society is not well served.

In the province of Saskatchewan, a vice-principal struck and injured a student whom he had mistakenly identified as being one of a group of verbally abusive children. Convicted in trial court, he was exonerated on appeal, since "*the presiding judge felt that Mr. Haberstock had sufficient reason to assume the student had been involved in the name calling*," (*R. vs. Haberstock, 1971*).[33]

With few exceptions even instances of excessive corporal punishment have been turned away by the courts in Canada and the United States, holding that malice or permanent injury must be proved before a complaint can become actionable under the law.[34] For example, "*of all the cases that have gone to court in the state of Vermont on charges of criminal assault, not one has been decided in favor of the complainant.*" [35]

The situation in Canada is much alike. The courts place the onus of proof with respect to alleged excessive corporal punishment on the plaintiff. Case law has restricted the application of reasonable disciplinary action in terms of (a) sufficient cause; (b) reasonableness under the circumstances; (c) suitability of the implement employed; (d) severity of punishment; (e) parts of the body where such punishment may be applied; and (f) injurious effect. "*A vast majority of the cases involving alleged assaults by teachers on students are decided in favor of the*

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[33] Leroy Sloan,"Legal Aspects of Corporal Punishment in Canada," in Saskatchewan Administrator, vol.10, no. 1 (January 1977), p. 30.

[34] See Schumacher,"The Paddle in the School....," p. 271.

[35] Lansing K. Reinholz,"A Practical Defense of Corporal Punishment in the Schools," in Corporal Punishment in American Education, p. 347.

student in the trial court and are almost invariably reversed upon appeal."[36]

Nothing better illustrates the deep-seated conservatism of the higher courts than their upholding the principles of common law in the face of - what under oth r circumstances would be considered to be - assault and battery.

V.

The ongoing battle between abolitionism and retentionism is still being waged on the philosophical battleground of traditional Puritan and Humanistic ideologies. No matter how involved or 'modern' current arguments and legal interpretations may be, they cannot overlook either the common law heritage which binds them to the past, or the fundamental ethics rooted in religious precepts. This fact permits certain generalizations.

The Humanistic view seeks to persuade on intellectual and moral grounds. It focuses on the individual, his dignity, and his liberties. Since this view does not reflect the majority opinion of society, its proponents are aggressive, even militant in their cause, challenging tradition and the traditional legal perspective.

The Puritan or Calvinistic view, by contrast, is supported by

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[36] Sloan,"Legal Aspects....," p. 27.

religious morality and grassroots tradition. It sees the individual in the larger context of the collective (family, community) which, if necessary, must be protected from him. Its popular support base makes active proselytizing unnecessary. Courts tend to uphold it.

This underlying conservatism in North-American society opposes abolitionism of corporal punishment in schools as too radical a departure from the established ways, and even as an impediment to achieving success in society. Since both Canada and the United States are nations of immigrants, role modelling ('Anglo-conformity') by minorities and newcomers opposes change and reform. The process of 'making it to the top' encourages retentionism :

> *A black principal charged that the Committee for the Abolition of Corporal Punishment was conspiring to destroy the education of black children. He believed that if he could not hit the children in his school he would have to expel them, and then they would not be in school getting an education.* (37)

In this particular instance the educator and the student are caught up in a vicious circle which they are powerless to break on their own. Not unlike this situation is the fact that among racial minorities and lower socio-economic groups there is great reluctance on the part of parents to seek redress for their children. Generally they are distrustful of established authority. Having experienced hardship themselves, they also tend to have lower expectations and are prone to accept the traditional practices of the dominant culture.

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[37] Schumacher,"The Paddle in the School....," p. 282.

There is also the question of an inherent propensity of some ethnic groups for violence against children because of environmental and socio-economic factors, as raised by Gil's demographic surveys of 1968-1970.[38] And not to be overlooked is the observation that some immigrants are accustomed to aggressive child-rearing practices, others are not. Non-white cultures have been shown to demonstrate more aggressiveness than white cultures. And within the white cultures, as O'Hanlon (1975) has suggested, people of Irish background are generally more inclined to aggressive parenting than other white ethnics.[39] Such cultural attitudes lead to the condonation or even active support of corporal punishment in schools.

Yet another supportive aspect of retentionism is the presence of inter-racial tensions within communities. Studies in the United States clearly show that ethnic children are beaten with greater frequency than children of the dominant culture, and poor children more than those of the middle class.[40]

Retentionism receives its strongest backing, however, from our own culture which applauds physical aggressiveness, even violence, as a legitimate means of achieving success in all fields of endeavor, from sports to business. The popular appeal of behavioral scientists like Konrad Lorenz (On Aggression) and Desmond Morris (The Naked Ape) in the

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[38] D.G. Gil, Violence against Children : Physical Abuse in the United States (Cambridge, Mass. : Harvard University Press), 1970.

[39] See Welsh,"Severe Parental Punishment and Aggression....," p. 128.

[40] See Schumacher,"The Paddle in the School....," p. 277 ff.

1960's has added quasi-scientific to the religious underpinnings. If aggressive behavior patterns, such as territoriality and dominance, cannot be divorced from Man's very nature, then, the argument goes, the corporal punishment issue is not a matter of principle but of control. Expert opinion backing abolitionism has had comparatively little impact on public attitudes, a fact which is, admittedly, due to the continuing lack of conclusive data.[41]

World-wide abolitionism of corporal punishment in schools has been equally ineffective in changing societal perceptions in North America. Cultural bonding with Britain is, of course, the primary reason. The arguments put forward by abolitionist socialist countries are blunted by philosophical considerations which are inimical to our way of life. Soviet Russia and Sweden are cases in point.

Soviet education mirrors the highly centralized and supervised system of the state. The Soviet citizen is taught from childhood that individualistic behavior patterns are out of tune with the role expectations he is to meet in the collective and state, and that his future career depends on his conformance. In the presence of such ideological controls, which permeate all aspects of daily life, corporal punishment in the classroom can easily be dispensed with. Psychological reinforcement, be it through group approval or group ostracism, is by far more effective than any physical punishment.[42]

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[41] See Hyman and McDowell,"An Overview," in Corporal Punishment in American Education, p. 9.

[42] See Kenneth Cassie,"Discipline in Soviet Schools : The Observation of an American Teaching in the USSR," in Corporal Punishment in American Education, pp. 286-297.

Sweden's political orientation is social-democratic. It has not permitted corporal punishment in schools since 1962. Under its Code of Parenthood and Guardianship (1980) all children are protected from "*physical punishment or other injurious or humiliating treatment.*" [43] The ban applies to both home and school. But as this measure appears to have been directed primarily against the country's immigrant labor population from Southern and Eastern Europe, the long-term effectiveness of legislating corporal punishment out of existence is yet to be demonstrated. [44]

In final analysis, the continuation of physical disciplining in our schools is abetted by the pressures arising out of stressful life-styles and alienation which characterize all social levels. If schools are forced to assume many of the responsibilities of child-rearing which the modern family is abdicating with increasing frequency, then acceptance of the *status quo* with respect to corporal punishment is the price many are only too willing to pay.

Alternatives suggested by abolitionists often carry prohibitive price tags, or are alien to our way of thinking. Counselling services, therapy, community assistance, and educational programs should not only involve students but also teachers, parents, administrators, if they are to be more than mere social experiments. Unfortunately, the public mood clamoring for fiscal restraint militates against such large-scale commitments. Other suggestions, such as "*training for parenthood should*

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[43] P. Newell, "Why the final step had to be taken," The Times Educational Supplement, 28 March 1980, p. 16.

[44] "Formal ban on physical punishment proposed," The Times Educational Supplement, 7 April 1978, p. 10.

be government-mandated,"[45] raise the spectre of an Orwellian society and conflict with our belief in personal autonomy and minimal interference of government in our personal lives.

Corporal punishment will continue to be employed in our schools because in the end only the community itself can shape the social codes by which we live and mandate their enforcement. Given our present social climate, those who want to curb the abuses of corporal punishment are more likely to make progress than those who want to abolish it altogether.

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[45] Welsh,"Severe Parental Punishment and Aggression.....," p. 138.

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